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# MONTANA LEGISLATIVE HISTORY

Chapter 224 1982

Bill H _____ S 206 Original bill & history ____C

| H. Committee on Local Government | | S. Committee on Local Government | |
|---|---|---|---|
| Hearing Date(s) Mar 13 | ✓C | Hearing Date(s) Feb 03 | ✓C |
| _____ | ____C | _____ | ____C |
| _____ | ____C | _____ | ____C |
| _____ | ____C | _____ | ____C |
| Date Out Mar 13 | ✓C | Feb 04 | ✓C |

Did this bill originate in an interim committee? ____Yes ____No

Committee _____ Report _____

| | | | |
|---|---|---|---|
| 3/04 | COMMITTEE REPORT--BILL CONCURRED | | |
| 3/06 | 2ND READING CONCURRED | 56 | 40 |
| 3/07 | 3RD READING CONCURRED | 51 | 32 |
| | RETURNED TO SENATE | | |
| 3/11 | SIGNED BY PRESIDENT | | |
| 3/12 | SIGNED BY SPEAKER | | |
| 3/12 | TRANSMITTED TO GOVERNOR | | |
| 3/16 | SIGNED BY GOVERNOR | | |
| | CHAPTER NUMBER 108 EFFECTIVE DATE: 3/16/87 | | |

SB 205 INTRODUCED BY HALLIGAN
VOUCHER SYSTEM FOR DEPARTMENT OF SOCIAL & REHABILITATION SERVICES PAYMENT FOR PRESCRIPTION MEDICATION

| | | | |
|---|---|---|---|
| 1/24 | INTRODUCED | | |
| 1/24 | REFERRED TO BUSINESS & INDUSTRY | | |
| 1/24 | FISCAL NOTE REQUESTED | | |
| 2/04 | FISCAL NOTE RECEIVED | | |
| 2/04 | HEARING | | |
| 2/20 | TABLED IN COMMITTEE | | |
| 2/21 | TAKEN FROM COMMITTEE AS AMENDED | 45 | 3 |
| 2/23 | STATEMENT OF INTENT ADOPTED | | |
| 2/23 | 2ND READING PASSED | 36 | 13 |
| 2/25 | 3RD READING PASSED | 41 | 9 |
| | TRANSMITTED TO HOUSE | | |
| 3/03 | REFERRED TO BUSINESS & LABOR | | |
| 3/17 | HEARING | | |
| 3/18 | TABLED IN COMMITTEE | | |

SB 206 INTRODUCED BY HIRSCH
REVISE COUNTY COMMISSIONER RESIDENCY REQUIREMENTS

| | | | |
|---|---|---|---|
| 1/24 | INTRODUCED | | |
| 1/24 | REFERRED TO LOCAL GOVERNMENT | | |
| 2/03 | HEARING | | |
| 2/05 | COMMITTEE REPORT--BILL PASSED AS AMENDED | | |
| 2/09 | 2ND READING PASSED | 49 | 0 |
| 2/11 | 3RD READING PASSED | 46 | 2 |
| | TRANSMITTED TO HOUSE | | |
| 2/18 | REFERRED TO LOCAL GOVERNMENT | | |
| 3/13 | HEARING | | |
| 3/13 | COMMITTEE REPORT--BILL CONCURRED | | |
| 3/17 | 2ND READING CONCURRED | 81 | 14 |
| 3/18 | 3RD READING CONCURRED | 85 | 9 |
| | RETURNED TO SENATE | | |
| 3/21 | SIGNED BY PRESIDENT | | |
| 3/23 | SIGNED BY SPEAKER | | |
| 3/23 | TRANSMITTED TO GOVERNOR | | |
| 3/27 | SIGNED BY GOVERNOR | | |
| | CHAPTER NUMBER 224 EFFECTIVE DATE: 10/01/87 | | |

SB 207 INTRODUCED BY LYBECK, MANNING, BOYLAN, ET AL.
MONTANA QUALITY LABEL AND CERTIFICATION (BEEF)

| | |
|---|---|
| 1/24 | INTRODUCED |
| 1/24 | REFERRED TO AGRICULTURE, LIVESTOCK & IRRIGATION |

are urban and rural constituents to be represented. If the commissioners were elected at large, there might be a lack of equity. This bill states the candidate must be a resident of the district on the day of the filing and a 2 year county resident.

Senator Hirsch closed the hearing on Senate Bill 206.

ACTION ON SENATE BILL 206: Senator Hirsch moved the amendments do pass. The motion carried unanimously.

Senator Walker moved the bill DO PASS AS AMENDED. The motion carried UNANIMOUSLY.

ACTION ON SENATE BILL 203: Senator Eck moved that Senate Bill 203 BE TABLED. The motion CARRIED UNANIMOUSLY.

CONSIDERATION OF HOUSE BILL 204: Representative Harry Fritz, Missoula, District 56, presented this bill. HB 204 is a repealer of a 1895 law, which held the cities responsible for property damage by mobs or riots. He said the law had been invoked only once when a Union Hall in Butte had been destroyed by a riot and the city had to pay $65,000 to rebuild the hall. In a short informative speech, he told of the historical tradition of this type of law which dates back to English common law. He closed the speech saying that this law could still be invoked and felt the legislature should take it off the books as soon as possible.

PROPONENTS:

Alex Hansen, lobbyist for the Montana League of Cities and Towns, said his organization adopted a resolution in September urging this bill be passed. The law does cause the cities some concern because it establishes absolute responsibility for damage by mobs or riots. There are still union disputes and sporting events in which damage has been caused, and the cities should not be responsible.

John Laughton, Finance and Administrative Services Director for the city of Helena, and chairman of the Montana Municipal Insurance Authority, which is a self-insurance authority insuring for liability in the 80 cities around the state, appeared as a proponent of the bill. His insurance covers 85-90% of the population that lives in the cities. Repealing this law should help from an insurance standpoint, even though it wasn't greatly feared at this time.

50TH LEGISLATIVE SESSION
MONTANA STATE SENATE
MINUTES OF THE MEETING
LOCAL GOVERNMENT COMMITTEE

February 3, 1987

The eighth meeting of the Local Government Committee was called to order at 1:00 p.m. on February 3, 1987, by Chairman Bruce D. Crippen in Room 405 of the Capitol.

ROLL CALL: All members were present.

CONSIDERATION OF SENATE BILL NO. 206: Senator Les Hirsch, Miles City, District 13, presented Senate Bill 206 to the committee. He said he would also be presenting amendments to the bill. Basically the bill was presented because a county commissioner was "districted" out of his position. When time came for reelection, he ran, but was challenged. This bill is being amended to require candidates to be residents of the county, not residents of the district, for two years. He felt the law should not deny anyone an opportunity to serve as county commissioner. As originally written, it stated a person must be a resident at the time of filing for election. See Exhibit 1.

PROPONENTS: Gordon Morris, representing MACO, agreed with the amendment and the purpose of the bill. The county would still be protected from a newcomer coming in and running by use of the amendment.

OPPONENTS: There were no opponents.

QUESTIONS FROM THE COMMITTEE: Senator Beck asked about the election problem in Big Horn County. Mr. Morris said that the method of election was challenged and the court found for the plaintiffs and stated that the districting was unconstitutional. The candidate could be elected at large rather than from the district, but would be representing the district.

Senator Eck said in Bozeman, the 3 commissioners come from one small part of the town and asked how Morris felt about retaining the districts. Mr. Morris felt there were definitely good reasons for retaining the districts as there

ROLL CALL

Senate Local Government COMMITTEE

50th LEGISLATIVE SESSION -- 1987 Date Feb. 3, 1987

| NAME | PRESENT | ABSENT | EXCUSED |
|---|---|---|---|
| BRUCE CRIPPEN | X | | |
| R. J. PINSONEAULT | X | | |
| TOM BECK | X | | |
| DOROTHY ECK | X | | |
| H. "SWEDE" HAMMOND | X | | |
| ETHEL HARDING | X | | |
| LES HIRSCH | X | | |
| PETER STORY | X | | |
| ELEANOR VAUGHN | X | | |
| MIKE WALKER | X | | |
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Each day attach to minutes.

SENATE LOCAL GOVERNMENT
EXHIBIT NO. 1
DATE 2-3-87
BILL NO. SB 206

Hirsch Amendments

AMENDMENT TO SB 206 - County Commissioner Residency Requirements

7-4-2104 (2) (line 20 of present bill changed to read):

"has not resided in said county for at least two years next preceding the time when he shall become a candidate for said office and was not a resident of the district at the time of filing for the primary elect."

# STANDING COMMITTEE REPORT

SCRSB206.TXT

February 4, 1997

MR. PRESIDENT

We, your committee on Local Government

having had under consideration Senate Bill No. 206

first reading copy ( white color )

REVISE COUNTY COMMISSIONER RESIDENCY REQUIREMENTS

Respectfully report as follows: That Senate Bill No. 206

BE AMENDED AS FOLLOWS:

1. Page 1, line 22.
Following: "office"
Insert: "has not resided in the county for at least 2 years next preceding the time when he shall become a candidate for said office and"

AND AS AMENDED
DO PASS

~~DO NOT PASS~~

Chairman.

Senator Grimes

MINUTES OF THE MEETING
LOCAL GOVERNMENT COMMITTEE
50TH LEGISLATIVE SESSION
HOUSE OF REPRESENTATIVES

March 13, 1987

The meeting of the Local Government Committee was called to order by Chairman Norm Wallin on March 13, 1987 at 1:00 p.m. in Room 312-F of the State Capitol.

All members were present with the exception of Rep. Gould who joined the meeting later, Rep. Brown who joined the meeting later and Rep. Whalen who was absent.

CONSIDERATION OF SENATE BILL 282: Senator Tom Beck, Senate District 24 and sponsor of SB 282, stated SB 282 was an act to reduce the personal liability of the county commissioner and county clerk for claims and warrants in excess of the budget appropriation. The statute currently state that if a county commissioner authorizes expenditures over any budget in the county that he will replace that expenditure fourfold. Senator Beck stated the bill eliminates the word "fourfold" and states the county commissioner will replace at its equal value.

PROPONENTS: Gordon Morris, MACo, asked for the committee's support on the dollar for dollar provision in SB 282.

OPPONENTS: None.

Senator Beck in closing stated the bill does not apply to any other elected officials only to county commissioners.

CONSIDERATION OF SENATE BILL 206: Senator Les Hirsch, Senate District 13 and sponsor of the bill, stated the problem SB 206 addresses is that there is in the law now a two year residency requirement for the district in order for a person to run for the county commission. Since the start of reapportioning, it is very difficult to meet the two year residency requirements of the district. The bill changes the two year requirement to the county and the district requirement is to the time of filing for the primary. Senator Hirsch stated this should take care of the problem.

PROPONENTS: Gordon Morris, MACo, stated the bill was a clean and simple bill and asked for support.

OPPONENTS: None.

Senator Hirsch in closing asked for the committee's concurrence.

EXECUTIVE ACTION

DISPOSITION OF SENATE BILL 206: Rep. Brandewie moved that SB 206 BE CONCURRED IN. The question was called and the motion carried unanimously.

DISPOSITION OF SENATE BILL 282: Rep. Brandewie moved that SB 282 BE CONCURRED IN. The question was called and the motion carried unanimously.

Rep. Ramirez commented that he was not present at the hearing on SB 316 but understood the bill was tabled. He stated he would like to give some background information on the bill before it be ignored by the committee.

Chairman Wallin stated that Rep. Dave Brown had made the motion to table the bill and he was not present at this time. He stated he would like Rep. Brown to be present before taking up the subject.

Rep. Ramirez stated that would be fine.

Rep. Darko was asked to carry SB 282 on the House floor.
Rep. Hansen was asked to carry SB 206 on the House floor.

CONSIDERATION OF SENATE BILL 356: Senator Allen Kolstad, Senate District 7 and sponsor of the bill, stated the bill sets up some qualification standards for the office of county coroner and the deputies who serve that office. At the present time there are no age requirements or educational requirements. The bill asks to set up a 40-hour death identification school which is being conducted presently at the law enforcement academy. There will be no additional fiscal impact. Senator Kolstad stated the bill will ensure that only trained coroners and deputy coroners will investigate the deaths that happen within the state. He stated they will be required to update that training on a regular basis.

PROPONENTS: Charles Gravely, MT Coroners' Association, stated the reason for establishing an age of 23 years or older for holding a position of coroner was because that is the age for most people that take post secondary education that they will graduate from college. The primary reason, he said, is that they do not feel a person 18 years old has sufficient maturity to handle and deal with death and with people who must be contacted relative to those deaths. Mr. Gravely stated that presently there is no requirement for a high school education or equivalent. They feel that is very important. Another requirement in Section 2 of the bill removes the requirement that justices of the peace act in the place of an absent coroner. Mr. Gravely stated the Magistrates Association did testify in the Senate and are in supportive of the legislation because they do not want to perform as coroners.

DAILY ROLL CALL

LOCAL GOVERNMENT COMMITTEE

50th LEGISLATIVE SESSION -- 1987

Date 3-13-87

| NAME | PRESENT | ABSENT | EXCUSED |
|---|---|---|---|
| REP. NORM WALLIN, CHAIRMAN | ✓ | | |
| REP. RAY BRANDEWIE, VICE CHAIRMAN | ✓ | | |
| REP. BUDD GOULD | ✓ | | |
| REP. REP. TIMOTHY WHALEN | | ✓ | |
| REP. PAULA DARKO | ✓ | | |
| REP. TOM BULGER | ✓ | | |
| REP. JAN BROWN | ✓ | | |
| REP. BOB GILBERT | ✓ | | |
| REP. LARRY GRINDE | ✓ | | |
| REP. WALTER SALES | ✓ | | |
| REP. STELLA JEAN HANSEN | ✓ | | |
| REP. PAUL PISTORIA | ✓ | | |
| REP. ROBERT HOFFMAN | ✓ | | |
| REP. LES KITSELMAN | ✓ | | |
| REP. JACK RAMIREZ | ✓ | | |
| REP. DAVE BROWN | ✓ | | |
| REP. CAROLYN SQUIRES | ✓ | | |
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# STANDING COMMITTEE REPORT

March 13 19 87

Mr. Speaker: We, the committee on LOCAL GOVERNMENT

report SB 206

☐ do pass
☐ do not pass

☒ be concurred in
☐ be not concurred in

☐ as amended
☐ statement of intent attached

Rep. Nora Vallin
Chairman

(Rep. Stella Jean Hansen)

THIRD BLUE

_____ reading copy (_____ color)

VISITORS' REGISTER

LOCAL GOVERNMENT COMMITTEE

BILL NO. SB 206 DATE March 13, 1987

SPONSOR Senator Hirsch

| NAME (please print) | REPRESENTING AND/OR RESIDENCE | SUPPORT | OPPOSE |
|---|---|---|---|
| Gracie Sherwin | MWLG | V | |
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IF YOU CARE TO WRITE COMMENTS, ASK SECRETARY FOR WITNESS STATEMENT FORM.

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

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